

# CITY OF HORSESHOE BAY

## CITY COUNCIL PUBLIC MEETING

February 19, 2008

The Council of the City of Horseshoe Bay held a Public Meeting at City Hall, located at #1 Community Drive, Horseshoe Bay, Llano County, Texas, February 19, 2008, in accordance with duly posted notice of said meeting. Mayor Bob Lambert called the meeting to order at 3:00 p.m. with a quorum of Council Members present as follows:

Robert W. Lambert, Mayor  
James E. Babcock, Mayor Pro Tem  
John Bird, Alderman  
Claudia Haydon, Alderwoman  
Richard Rantzow, Alderman  
Jeff Robinson, Alderman

The posted agenda for this meeting is made a part of these minutes by attachment and the minutes are herewith recorded in the order the agenda items were considered with the agenda subject and item number shown preceding the applicable paragraph.

1. Call to Order and Establish a Quorum: Mayor Bob Lambert called the Public Meeting to order at 3:00 p.m. with a quorum present. Larry Sherwood, from the Church at Horseshoe Bay led the invocation. Mayor Lambert led the pledge of allegiance to the United States Flag and the Texas Flag. He then welcomed everyone to the meeting and asked that anyone who wanted to make comments please sign the sheet on the podium.
2. Comments from Mayor: Mayor Lambert had no comments
3. Comments from Aldermen: There were no Alderman comments.
4. Public Comments: Mayor Lambert said Sam Martin had signed up to speak. Mr. Martin asked that the City consider changing the City's phone system so a person answers and transfers your call instead of the caller having to know and dial an extension.
5. Items to be Removed from the Consent Agenda: Mayor Lambert asked the Council if there were any items they would like to remove from the consent agenda. There were none.
6. Consent Agenda:
  - a. Minutes of the January 22, 2008 Public Workshop and the January 22, 2008 Public Meeting
  - b. Final Plats:
    - i. Replat of Lot No. 62, Horseshoe Bay Applehead Island Plat No. 1 and Lot No. 64, Horseshoe Bay Applehead Island Plat No. 1.64, Llano County, Texas to

- be known as Horseshoe Bay Applehead Island Plat No. 1.62-A (#62 and #64 Applehead Island Drive)
- ii. Replat of Lot Nos. 12047 and 12048 and Adjacent Fill Area, Horseshoe Bay, Plat No. 12.1, Llano County, Texas to be known as Horseshoe Bay, Plat No. 12.22 (115 & 119 Lighthouse Drive)
- iii. Replat of Lot Nos. W2031 and W2032, Horseshoe Bay West, Plat No. W2.2, Llano County, Texas to be known as Horseshoe Bay, Plat No. W2.7 (111 & 113 Ravine Street)
- iv. Nine Replats of Zone 14 PD: Tracts 2, 4, 5, 6, 7, 8, 9, 12 and 13
- c. Llano County Interlocal Agreement for On-Site Sewage Facilities
- d. RFQ for City Consulting Engineer
- e. Revised Exhibit A to Compensation Policy
- f. Variance to Allow Overnight Storage of Fireworks Within the City Limits on the Nights of July 4<sup>th</sup> & 5<sup>th</sup>, 2008
- g. Reallocation of Utility Fund Budget
- h. Ordinance Approving Services and Rates

Alderman Rantzow made the motion to approve the Consent Agenda. The motion was seconded by Alderman Babcock. The motion passed unanimously (5-0).

7. General Manager's Report: Mayor Lambert stated Mike Thuss is currently on vacation from the City. He has accepted a position as Chief Operating Officer of BexarMet, a public utility in the north part of Bexar County that serves approximately 80,000 customers in the San Antonio area. Mr. Thuss is helping the City during the transition period, and he and his wife, Pat, will continue to be homeowners in Horseshoe Bay probably spending weekends here. The City will have a function honoring him prior to the March meeting. Mayor Lambert said he is currently serving as City Manager and will continue to do so until probably the end of April. Council then had brief discussion regarding the Staff reports included in the General Manager's report.
8. Sign Variance Request for Real Estate Office Located at 7405 RM 2147 West: Mayor Lambert said this item is regarding allowing a sign on the Century 21 office the same size as the Bay Pharmacy sign next door. Alderman Rantzow made the motion to approve the sign variance as requested. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).
9. Public Hearing and Consideration Regarding Service and Assessment Plan and Assessment Roll for Escondido Public Improvement District: Mayor Lambert convened a public hearing at 3:10 p.m. He asked if there were any public comments. There were none, and he adjourned the public hearing.
10. An Ordinance of the City Council of the City of Horseshoe Bay, Texas Accepting and Approving a Service and Assessment Plan and Assessment Role for Escondido Public Improvement District, Making a Finding of Special Benefit to the Property in the District; Levying Special Assessments Against Property Within the District and Establishing a Lien on Such Property; Providing for Payment of the Assessments in Accordance with Chapter 372, Texas Local Government Code, as Amended; Providing for the Method of

Assessment and the Payment of Assessments, Providing Penalties and Interest on Delinquent Assessments, Providing for Severability, and Providing an Effective Date: Mayor Lambert stated this item is to reimburse Escondido for the infrastructure costs of the utilities. Bonds will be sold and the bonds will be repaid only from Escondido lots. Alderman Babcock stated he had asked at the last meeting to see something on the methodology and he had received this from Municap. Alderwoman Haydon made the motion to approve the ordinance. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0). Mayor Lambert thanked Senator Troy Frazier for his help with passage of a special bill in the last Legislative session.

11. Development Agreement for the Mike Walsh Commercial Development: Mayor Lambert said this is a Development Agreement with a Planned Development Ordinance for the Horseshoe Bay Center. Alderman Babcock made the motion to approve the Development Agreement. The motion was seconded by Alderwoman Haydon. The motion passed unanimously (5-0).
12. Public Hearing and Consideration Regarding Planned Development Ordinance Amendment for Marina Village: Mayor Lambert convened the Public Hearing at 3:17 p.m. He asked if there were any public comments. There were none, and he adjourned the Public Hearing. Mayor Lambert stated he would like an insert in section 3. (g) (6) that will read, "to the extent that the developer causes damage to streets owned by the Horseshoe Bay Property Owners' Association, such damage will be repaired to the satisfaction of the POA". That is consistent with the other agreements the City has had regarding building projects in HSB. Alderman Robinson made the motion to approve the Planned Development ordinance. The motion was seconded by Alderman Rantzow. The motion passed unanimously (5-0).
13. Public Hearing and Consideration Regarding Zoning of Tract 15 of Moratorium Zone 14 to R-6 Multi-Family Residential, for Property Described as Tract BBB-2A, Horseshoe Bay Plat No. 15.67, Llano County, Texas (Hi Circle North and HSB Blvd.): Mayor Lambert convened the Public Hearing at 3:24 p.m. He asked if there were any public comments. Local attorney, Ronnie Yates, had signed up to speak and stated he is present on behalf of Brent Haynes who is a principal in the entity that owns this tract. Mr. Haynes is requesting that Council postpone zoning this tract. Mayor Lambert adjourned the public hearing. After some discussion, it was decided that this item and the same item elsewhere in the agenda would be continued and will be placed on the next agenda. Prior to that meeting, the owner can make a request in writing to extend the moratorium on his property.
14. Planned Development Ordinance for Zone 14: Mayor Lambert said there has been a meeting between the Resort and neighbors, the Resort had a community meeting with over 200 people in attendance, several Beacon ads as well as many private meetings and a City Council workshop on this subject on January 22, 2008 and then discussed it at the City Council meeting on the same day. Ron Mitchell had signed up to speak and said "no matter the outcome, he wanted to thank the Mayor personally and the Council and City staff for all the time that has been given for this project". Alderman Babcock clarified that under this agreement, the Council will have final approval of the design features of

the parking garage as well as landscaping in order to insure minimal intrusion on the surrounding neighbors. Alderwoman Haydon made the motion to approve the PD Ordinance. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0).

15. Public Hearing and Consideration Regarding an Amendment to Zoning Ordinance Adding a New Section No. 3.6.13 to Create the MA-1 Zoning District for Marinas in Zone 4A, Horseshoe Bay Proper: Mayor Lambert convened the Public Hearing at 3:42. He asked if there were any public comments. There were none, and the Public Hearing was adjourned. Alderman Rantzow made the motion to approve the Zoning Ordinance amendment. The motion was seconded by Alderman Robinson. The motion was approved unanimously (5-0).
16. 1<sup>st</sup> and 2<sup>nd</sup> Public Hearings Regarding Annexation Proceedings to Enlarge and Extend the Boundary Limits of the City to Include the 10.80 acre Horseshoe Bay Resort Marina and a 3.22 acre Lake Bottom Tract part of the Horseshoe Bay Resort Yacht Club: Mayor Lambert convened the 1<sup>st</sup> Public Hearing at 3:44. He asked if there were any public comments. There were none, and the Public Hearing was adjourned. Mayor Lambert said State law requires two public hearings for annexation; however they can be held on the same day. He then convened the 2<sup>nd</sup> Public Hearing at 3:45. He asked if there were any public comments. There were none, and the Public Hearing was adjourned. No action was taken on this item. It will be considered for action at the March 11, 2008 meeting.
17. Public Hearing and Consideration Regarding an Amendment to Zoning Ordinance Regarding Requirements for Public Notice: Mayor Lambert convened the Public Hearing at 3:48. He asked if there were any public comments. There were none, and the Public Hearing was adjourned. Alderman Rantzow made the motion to approve the amendment to the Zoning Ordinance. The motion was seconded by Alderman Robinson. The motion was approved unanimously (5-0).
18. Public Hearing and Consideration Regarding an Amendment to Subdivision Ordinance Regarding Requirements for Public Notice: Mayor Lambert convened the Public Hearing at 3:49. He asked if there were any public comments. There were none, and the Public Hearing was adjourned. Alderman Rantzow made the motion to approve the amendment to the Subdivision Ordinance. The motion was seconded by Alderman Bird. The motion was approved unanimously (5-0).
19. Reduction of Speed Limit on Hwy. 2147 to 45 m.p.h.: Dale Rodman stated he was not in favor of extending the 45 m.p.h. speed limit on Hwy. 2147. Don Victor said he was in favor on lowering the 45 m.p.h. west to Hi Circle West due to safety issues. He also suggested lowering the speed limit beginning at Hwy. 71 all the way through the City. Ken Martin said he is not in favor of lowering the speed limit to 45 m.p.h. and would recommend raising the speed limit to 50 m.p.h. throughout Horseshoe Bay due to the widening of the highway to five lanes throughout much of the City. Mayor Lambert stated Police Chief Lane is currently testifying in court and unable to be at this meeting; however he provided a statement for Mayor Lambert to read, a copy of which is attached

and hereby made a part of these minutes. After some discussion by the Council, Alderman Rantzow made the motion to lower the speed limit on 2147 from Hwy. 71 to Cottonwood Shores to 45 m.p.h. The motion was seconded by Alderman Robinson. Alderman Babcock asked Alderman Rantzow to allow an amendment to this motion stating "Council believes that 45 m.p.h. throughout the City limits is in its best interest and recommends that TxDOT make that change and for Council to authorize the Mayor and Chief Bill Lane to pursue requesting the change. Alderman Rantzow agreed with the amended motion. The motion passed unanimously (5-0).

20. City Council, meeting as the Board of Adjustment, will Conduct a Public Hearing and Consideration Regarding:

- a. Request for Variance Lot No. 17023, Horseshoe Bay Plat No. 17.1 for Building Set-backs, Horseshoe Bay, Llano County, Texas (120 Boot Hill)
- b. Request for Variance Lot No. W29008-A, Annlee's Landing, Horseshoe Bay, Llano County, Texas (100 Matern Court)
- c. Request for Variance Lot No. 71, Applehead Island, Horseshoe Bay, Llano County, Texas (71 Applehead Island Drive)

Mayor Lambert stated the Council would now convene as a Board of Adjustment and there are three requests for variances on the agenda for consideration. Mayor Lambert convened the Public Hearing at 4:23. Bill McCallick is the owner and spoke regarding Item 20.b. saying that he had personally spoke to the three closest neighbors, and they had voiced no objections to this variance. Jay Boynton is the owner and spoke regarding Item 20.c. stating the lots on both sides are vacant and he had spoke to one of them personally, Lot 69, and he did not know of any objections. Mayor Lambert adjourned the Public Hearing. Alderman Rantzow made the motion to approve the variances as requested. The motion was seconded by Alderman Babcock. The motion passed unanimously (5-0). Mayor Lambert said they would conclude as the Board of Adjustment.

21. Public Hearing and Consideration Regarding Preliminary Plats:

- a. Replat of Lot No. 17A, Trails End, Section One-A, Llano County, Texas (105 Christine Circle)
- b. Replat of Lot Nos. K6097 and K6098, Horseshoe Bay South, Burnet County, Texas (105 Eighth Street)
- c. Replat of Lot Nos. K7086 and K7087, Horseshoe Bay South, Burnet County, Texas (2201 Thirty Fourth Street)
- d. Replat of Lot Nos. K7089 and K7090, Horseshoe Bay South, Burnet County, Texas (1905 Crooked Run)
- e. Replat of Lot Nos. K7382 thru K7385, Horseshoe Bay South, Burnet County, Texas (208 Forty Sixth Street)
- f. Replat of Lot No. W10001, Horseshoe Bay West, Plat No. W10.1 to be known as Horseshoe Bay West Plat No. 10.8, Llano County, Texas (1403 Broken Hills)
- g. Replat of Lot Nos. 59 and 60, Skywater Over Horseshoe Bay, Plat No. 1.1 to be known as Skywater Over Horseshoe Bay, Plat No. 1.2, Llano County, Texas (Paintbrush)

Mayor Lambert convened the Public Hearing at 4:25. He asked if there were any comments. There were none, and he adjourned the Public Hearing. Eric Winter, Development Services Manager stated on Item No. 21. b., there is currently a manufactured home on this property that does not meet the setback requirements as noted on the replated lot. He suggested Council consider approving the preliminary plat with the condition that a variance be requested and approved to make those setbacks legitimate for that property or consider requiring the manufactured home be moved to a location on the lot in order to meet the setback requirement. This will need to be resolved prior to final approval of this item. Alderwoman Haydon made the motion to approve the preliminary plats as presented. The motion was seconded by Alderman Robinson. The motion passed unanimously (5-0). Mayor Lambert added the issue with Item 21.b. can be resolved prior to final approval at the next meeting.

22. Preliminary Plat for Mike Walsh Commercial Development Tract in the City's Extra-Territorial Jurisdiction (ETJ): Mayor Lambert explained that this item is handled differently due to the fact this property is in the City's ETJ. The City has an agreement with the counties where the City approves plat requests within the City's ETJ. Alderwoman Haydon made the motion to approve the plat as presented. The motion was seconded by Alderman Babcock. The motion passes unanimously (5-0).
23. Preliminary Plat for Skywater Over Horseshoe Bay Plat No. 4.1, 44.30 Acres Out of the A. Murchison Survey No. 85, Abstract No. 556, Llano County, Texas: Mayor Lambert said this is a preliminary plat for a new area of Skywater. Alderman Robinson made the motion to approve the plat as presented. The motion was seconded by Alderman Babcock. The motion passed unanimously (5-0).
24. Change Date of March 11, 2008 City Council Meeting: Mayor Lambert said he had a request from one of the Council members to change the date of the March 11, 2008 Council meeting. If it is changed he would hope to be able to change it to Monday, March 10, 2008. After some discussion, Council was of the opinion that their regular meetings should be held on Tuesdays if at all possible. There was no action taken on this item.
25. Update on City Manager Search: Mayor Lambert said Alderman Bird, Alderman Robinson and he met with the consultant last week and picked seven semifinalists. The consultant is now doing more detailed investigation regarding those seven individuals. He said there were 67 applicants for the City Manager position, and he is very pleased with the resumes of the semifinalists. Mayor Lambert, Alderman Bird and Alderman Robinson will have a phone conversation with the consultant on February 27<sup>th</sup> and they expect to narrow it to four or five finalists at that time. On March 13<sup>th</sup> all members of the City Council will receive a notebook containing information regarding the finalists. Council will then have meetings in Executive Session where the entire council will interview the finalists; possibly over a period of two days since there will probably be five candidates. After these interviews, they will probably have one or two candidates they will invite back for a day or two of more informal meetings with members of the Council as well as members of the community. Then there will probably be another

special meeting in April where Council would actually extend an offer to someone. Mayor Lambert said they had talked to the consultant about having the interview meeting on March 26 and 27 starting at 8:00 a.m.

26. Schedule date(s) for City Manager Candidate Interviews in February or March: Mayor Lambert suggested the interview meeting be held on March 26 and 27. Alderwoman Haydon made the motion to schedule this meeting for these dates. The motion was seconded by Alderman Bird. The motion passes unanimously (5-0).
27. Adjournment: Alderman Rantzow made a motion to adjourn the meeting. The motion was seconded by Alderwoman Haydon. The motion passed unanimously (5-0).

APPROVED this 11<sup>th</sup> day of March, 2008.

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**Robert W. Lambert, Mayor**

**ATTEST:**

//s//  
**Teresa L. Moore, City Secretary**